

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Philip J. HAYES et al. :  
Serial No.: Not Yet Assigned : Group Art Unit: Unassigned  
Filed: Concurrently Herewith : Examiner: Unassigned  
For: METHOD AND SYSTEM FOR :  
CREATING AND USING A PEER-TO- :  
PEER TRADING NETWORK :

Assistant Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION FOR PATENT APPLICATION**

Sir:

As a below-named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **METHOD AND SYSTEM FOR CREATING AND USING A PEER-TO-PEER TRADING NETWORK**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/US01/05609  
(Application Serial No.)

February 23, 2001  
(Filing Date)

Pending  
(Status - patented, pending, abandoned)

                      
(Application Serial No.)


                      
(Filing Date)

                      
(Status - patented, pending, abandoned)

I hereby declare that all statements made herein of my knowledge are true and that all statements made of information and belief are believed to be true; and further that these statements were made with a knowledge that willful false statements in like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

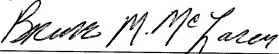
INVENTOR 1		
Family Name <u>HAYES</u>	First Given Name <u>Philip</u>	Second Given Name <u>J.</u>
City <u>Pittsburgh</u> <i>PA</i>	State / Country Pennsylvania, U.S.A.	Citizenship U.S.A.
Post Office Address 215 Richland Lane	City Pittsburgh	State Pennsylvania 15208
Date <i>5/25/01</i>	Signature <i>Philip Hayes</i>	

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INVENTOR 2		
Family Name <u>McKENNA</u>	First Given Name <u>Aidan</u>	Second Given Name <u>J.</u>
City <u>Sewickley</u> PA	State / Country Pennsylvania, U.S.A.	Citizenship U.S.A.
Post Office Address 619 East Drive	City Sewickley	State Pennsylvania 15143
Date 5/25/01	Signature 	

340

09390892.080701

INVENTOR 3		
Family Name <u>McLAREN</u>	First Given Name <u>Bruce</u>	Second Given Name <u>M.</u>
City <u>Pittsburgh</u> PA	State / Country Pennsylvania, U.S.A.	Citizenship U.S.A.
Post Office Address 1018 Heths Avenue	City Pittsburgh	State Pennsylvania 15206
Date 5/25/01	Signature 	

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For: METHOD AND SYSTEM FOR )  
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PEER TRADING NETWORK )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**POWER OF ATTORNEY BY ASSIGNEE**

The undersigned Assignee of the entire interest in the above-identified application hereby grants power of attorney to the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and directs that all correspondence be addressed to:

**Customer Number 009629**  
Patent Support Unit  
Morgan, Lewis & Bockius LLP  
1800 M Street, N.W.  
Washington, D.C. 20036-5869  
202-467-7176 (facsimile)

Please direct all telephone calls to Lesley L. Coulson at 412-560-7053.

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

OpenWebs Corporation, a United States corporation, certifies that it is:

1. ☒ an assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the application identified above by virtue of:

- A. An assignment from the inventor(s) of the application identified above. The assignment was recorded as follows:

FROM	TO	REEL/FRAME NO.
		Reel: Frame:

OR

- B. A chain of title from the inventors, of the application identified above, to the current assignee as shown below:

1. From: Philip J. HAYES, Aidan J. McKENNA, and Bruce M. McLAREN  
To: OpenWebs Corporation  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_,  
Frame \_\_\_\_\_, or for which a copy thereof is attached.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the Assignee.

OpenWebs Corporation  
2403 Sidney Street  
Pittsburgh, PA 15203

Dated: 5/25/01

By: 

Aidan J. McKENNA  
President

**ASSIGNMENT**

WHEREAS I, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

**METHOD AND SYTEM FOR CREATING AND USING A PEER-TO-PEER TRADING NETWORK**

for which Patent Cooperation Treaty Application No. PCT/US01/05609 was filed February 23, 2001 and for which I executed an application for United States Letters Patent concurrently herewith; or filed an application for United States Letters Patent on \_\_\_\_\_, (Serial No. \_\_\_\_\_); and

WHEREAS, OpenWebs Corporation, a corporation of Delaware, whose post office address is 2403 Sidney Street, Pittsburgh, PA 15203 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from assignee is hereby acknowledged, I, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, MY entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I HEREBY covenant that I have the full right to convey the interest assigned by this Assignment, and I have not executed and will not execute any agreement in conflict with this Assignment;

AND, I HEREBY further covenant and agree that I will, without further consideration, communicate with assignee, its successors and assigns, any facts known to ME respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I have hereunto set our hand(s).

County of \_\_\_\_\_

Philip J. HAYES

Full Name of Sole or First Assignor

State of \_\_\_\_\_

SS. 215 Richland Lane, Pittsburgh, PA 15208

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2001.

Address

*Philip J. Hayes*  
First Assignor's Signature

\_\_\_\_\_, Notary Public

5/25/01  
Date

Names of additional inventors attached [X] Yes [ ] No

County of \_\_\_\_\_

Aidan J. McKenna

Full Name of Second Assignor

State of \_\_\_\_\_

SS. 619 East Drive, Sewickley, PA 15143

Address

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2001.

*Aidan J. McKenna*  
Second Assignor's Signature

5/25/01

Date

\_\_\_\_\_  
Notary Public

County of \_\_\_\_\_

Bruce M. McLaren

Full Name of Third Assignor

State of \_\_\_\_\_

SS. 1018 Heths Avenue, Pittsburgh, PA 15206

Address

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2001.

*Bruce M. McLaren*  
Third Assignor's Signature

5/25/01

Date

\_\_\_\_\_  
Notary Public

Names of additional inventors attached ☐ Yes ☒ No